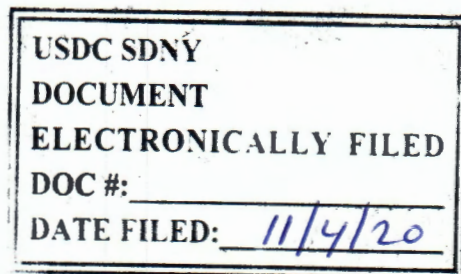


**BOND SCHOENECK  
& KING**600 Third Avenue, 22nd Floor | New York, NY 10016-1915 | [bsk.com](http://bsk.com)**MEMO ENDORSED**GREGORY REILLY, ESQ.  
[greilly@bsk.com](mailto:greilly@bsk.com)  
P: 646.253-2330  
F: 646.253.2377

November 4, 2020

**VIA ELECTRONIC FILING**Judge Louis L. Stanton  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312Re: *Beck v. Manhattan College*  
Case No.: 1:20-cv-03229-LLS

Dear Judge Stanton:

We represent Defendant Manhattan College (the "College") in the above-referenced action. Pursuant to Rule 1.A of your Honor's Individual Rules and Practices, the College writes this letter to respectfully request a stay of discovery pending the Court's decision respecting the College's forthcoming Rule 12(c) motion on or before November 10, 2020. Plaintiff consents to this request.

So  
Ordered  
Louis L.  
Stanton  
11/4/20

Plaintiff filed her putative class action Complaint in this action on April 23, 2020 (Docket No. 1), which after service the College answered on August 3, 2020. Docket No. 20. Plaintiff amended her complaint on August 24, 2020 (Docket No. 21), which the College answered on September 8, 2020 (Docket No. 22). Plaintiff served discovery requests by mail on September 29, 2020.<sup>1</sup> Thereafter, the College advised Plaintiff's counsel that it intends to move to dismiss the Complaint pursuant to Fed.R.Civ.P. 12(c) on or before November 10, 2020. The College requested Plaintiff's consent to our request that the Court stay all discovery pending the Court's ruling on the College's forthcoming Rule 12(c) motion. Plaintiff's counsel has consented to this request.

A discovery stay is reasonable under the circumstances because the forthcoming motion to dismiss may eliminate the need for discovery or limit the scope of Plaintiff's legal claims and/or the proposed class. We also note that there are several pending class action tuition refund actions before this Court (and others) where discovery stays have been granted pending the adjudication of motions to dismiss. See, e.g., *In Re Columbia University Tuition Refund Action*, Civil Action No. 20-cv-3208 (JMF); *Boykin-Smith v. New York Institute of Technology*, Civil Action No. 20-cv-4108 (JMA); *Goldberg v. Pace University*, Civil Action No. 20-cv-3665 (PAE).

<sup>1</sup> We note that to date, the parties have not conferred in a Rule 26(f) conference, so Plaintiff's discovery is premature (Fed.R.Civ.P. 26(d)(1)) and there is no scheduling order in place.

Judge Louis L. Stanton  
November 4, 2020  
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Thank you for your consideration.

Very truly yours,

BOND, SCHOENECK & KING, PLLC

A handwritten signature in black ink, appearing to read 'Gregory B. Reilly', with a stylized, sweeping flourish extending to the right.

Gregory B. Reilly

cc: Mr. Roy Willey, IV (By ECF)  
Anastopoulo Law Firm  
32 Ann St.  
Charleston, South Carolina 29403  
843-614-8888